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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Report of the Working Group of Experts on People of African Descent on its sixteenth session

Addendum

Mission to the Netherlands*

Summary

This report presents the findings of the Working Group of Experts on People of African Descent on its visit to the Netherlands. It presents the legal framework pertaining to the human rights of people of African descent, underscoring some gaps in the implementation of existing laws and noting policies which would benefit from a human rights approach. The report highlights major trends, challenges and good practices, and makes recommendations.

* The summary of the present report is circulated in all official languages. The report itself, contained in the annex, is circulated in the language of submission only.

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Annex

[English only]

Report of the Working Group of Experts on People of African Descent on its mission to the Netherlands (26 June–4 July 2014)

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I. Introduction

1. At the invitation of the Government of the Netherlands, the Working Group of Experts on People of African Descent undertook a visit from 26 June 4 July 2014. The members of the delegation were the Chairperson of the Working Group, Ms. Mireille Fanon Mendes-France, and members of the Working Group, Ms. Mirjana Najchevska and Ms. Verene Shepherd.

2. The Working Group met with representatives of national and local Government both in Curaçao and the Netherlands. In Curaçao, the Working Group met with representatives from the Ministry of Social Development and Labour; the Ministry of Public Health, Environment and Nature; the Ministry of Justice; the Ministry of Foreign Affairs; the Board of Education; the Central Bureau of Statistics; the Curaçao Police and the Public Prosecutor. It conducted a visit to the only prison in Curaçao and visited a juvenile penitentiary. A meeting was also held with a member of Parliament, and two meetings were held with about 30 civil society representatives in Willemstad.

3. In The Netherlands, the Working Group met with representatives from the Ministry of Foreign Affairs; the Ministry of the Interior and Kingdom Relations; the Ministry of Education, Culture and Science; the Ministry of Social Affairs and Employment; the Ministry of Security and Justice; and the Ministry of Health, Welfare and Sport. The Working Group also held a meeting with the Mayors of Amsterdam and Rotterdam, and representatives from the local discrimination agencies in Rotterdam (Anti-Discrimination Agency in Rotterdam) and Amsterdam (*Meldpunt Discriminatie Regio Amsterdam*). The Working Group met with the Chair of the Parliamentary Committee for Security and Justice of the House of Representatives as well as with representatives from the Netherlands Institute for Human Rights; Statistics Netherlands; and the Dutch Centre for Folk Culture and Intangible Cultural Heritage and Academia. During its working visit, the Working Group visited a women's prison in Utrecht as well as a juvenile detention centre in De Heuvelrug, and met with representatives from the Public Prosecutor's office and the police in Utrecht.

4. The Working Group also met with academics, civil society and non-governmental representatives working on a wide range of human rights issues, including those of African descent. The Working Group's visit to Willemstad, Amsterdam, The Hague, Rotterdam and Middleburg enabled it to gain a broad picture of the situation of people of African descent in the country.

5. The experts wish to thank the Government of the Netherlands for its invitation and for its assistance before, during and after the visit. They would also like to thank academics and non-governmental organizations, including those of African descent, with whom they met during their visit.

II. Overview

6. The African presence in the Netherlands has a long history, dating back to the Dutch Empire's participation in the transatlantic trade in Africans and the system of African enslavement, especially in the Caribbean.

7. The Kingdom of the Netherlands went through a process of constitutional reform, which entered into force on 10 October 2010. The changes were based on referendums and consequently, Curaçao and Sint Maarten acquired the status of countries within the Kingdom similar to Aruba, which has held the status of country within the Kingdom since 1986. Nowadays, the Kingdom of the Netherlands comprises four countries: the

Netherlands, Aruba, Curaçao and Sint Maarten. The islands of Bonaire, Sint Eustatius and Saba became Special Municipalities called Caribbean Netherlands and have a separate status within the Netherlands. Together, they form the Caribbean part of the Kingdom. Enslavement was a defining period for relations based on the hierarchy of races in the Dutch Caribbean's history, and social mobility since has been linked to skin colour as well as Afrophobia and racial tensions in the present.

8. Curaçao and Sint Maarten (and Aruba) are autonomous countries within the Kingdom; however, the Kingdom of the Netherlands maintains overall responsibility on foreign affairs and defense. International treaties and Conventions can be concluded only by the Kingdom and not by its constituent parts, and apply to the Kingdom as a whole or its constituent parts individually or in any combination. Similarly, while each of the new countries has its own Government and Parliament, Antillean legislation remains in place; the Judiciary is predominantly Dutch, with the Netherlands also involved in financial oversight. The Netherlands is a European Union member State, but Curaçao and the other islands within the Kingdom are not, and have a different status as Overseas Countries and Territories. The Netherlands has representation led by a Representative in each of the three islands of Aruba, Curaçao and Sint Maarten, which serves as an outpost of the Netherlands and represents all Dutch ministries (apart from Minister of Foreign Affairs and Defence, whose responsibilities span the Kingdom as a whole) in these islands. Parliaments of the three countries and the Netherlands meet twice a year to discuss topics of mutual interest and cooperation within the Kingdom.

9. The Netherlands is also an immigration country. Official figures put the foreign population in 2012 at almost 3.5 million, or about 20 per cent of the total population. The trend began soon after the Second World War, when a significant amount of the population from the Dutch Indies moved to the Netherlands. Over the past 40 years, the number of immigrant nationalities has increased considerably.

10. Currently, immigrants in the Netherlands are not a homogeneous group. Turkish and Moroccan immigrants mostly originate from the guest workers who arrived in the 1960s and 1970s, while many Afghan, Iraqi, Iranian and Somali immigrants came to the Netherlands as refugees. The immigration of Surinamese and Antilleans is often related to the political affiliation with the Netherlands, while Poles, Bulgarians and Romanians have been finding their way to the Netherlands as the borders within the European Union have opened up. People of Turkish, Moroccan, Surinamese and Antillean origin constitute the four largest non-Western groups in the Netherlands. The size of these groups is increasing, mainly as a result of births of the second generation and to a much lesser extent of the arrival of new immigrants.

11. The same applies to the Dutch Caribbean; for example, people of more than 80 nationalities live in Curaçao. The island is receiving new immigrant communities from Colombia, the Dominican Republic, Haiti, Jamaica and the Bolivarian Republic of Venezuela. Similarly, Aruba's many immigrants have made it a highly diverse society, with almost 100 different nationalities.

12. This complex and varied history means that people of African descent in the Netherlands are a diverse and heterogeneous group. While the Dutch Caribbean has a predominant population of people of African descent, manifestations of racism and racial discrimination are prevalent. The Working Group was concerned that racial discrimination is considered a "taboo" subject and identified a lack of understanding within the society about its manifestations. As a result, cases of racial discrimination against people of African descent in Curaçao are not being reported to the authorities.

13. In spite of the Netherlands' high standards in dealing with discrimination and the establishment of institutions promoting equality, people of African descent continue to be

vulnerable to racial discrimination. As with economic migration, many people of African descent arrive in the country as asylum seekers, fleeing devastating situations of poverty, persecution and conflict. While in the post-war period the Netherlands was known as a country of tolerance, discrimination has gradually increased with the arrival of more immigrant and refugee families to the Netherlands.

14. Since the 1970s, with the independence of former colonies, concerns around non-European immigration have been expressed in racialized terms. As in several countries, the legacy of enslavement, colonial ideologies and structures of hierarchy of race and culture mean that these groups have historically been, and in many cases continue to be, victims of racism, xenophobia and discrimination, albeit with varying manifestations, resulting in socio-economic inequality, social exclusion and marginalization. The Working Group is concerned that the new political relations between Curaçao and the Netherlands, agreed in 2010, are not fully understood by many people and have a significant impact on the immigration experiences of Curaçaons to the Netherlands.

15. Racism remains a problem for people of African descent throughout the country, with growing numbers of people of Surinamese and Dutch Antillean descent expressing experiences of discrimination based on their ethnicity and skin colour. Racism is prevalent, although it remains underreported and is generally denied, downplayed or at best seen as a marginal phenomenon. As a part of this denial, the Working Group observed that Moroccans are often referred to as if they represent all people of African descent, which further undermines the diversity of this group, as a result of the structural invisibility of people of African descent.

16. The Working Group acknowledges the positive turning point that Dutch society has recently taken to engage openly the issues of racism and racial discrimination affecting its populations of African descent. This willingness is evident in the policy and administrative steps that have been taken in recent years. Nevertheless, the Working Group felt that racial discrimination was accorded less of a priority by the Government in comparison to other issues such as migration, economic and financial inequality, and politics.

III. Legal framework, mechanisms, policies and practices

A. International level

17. The Netherlands has ratified most of the core human rights instruments, many of which are particularly relevant for the rights of people of African descent living in the country.

18. The Netherlands is yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Based on its national policy regarding social provision, the Netherlands objects to the section of this Convention stating that provision should be equally accessible to migrants who are not lawfully present within the territory of the country of their destination and/or are unlawfully employed there.

19. In the view of the Working Group, the provisions of this Convention have a direct bearing on the subject of racial discrimination, and the Netherlands should consider its ratification.

20. The Netherlands acceded to the Additional Protocol to the Council of Europe's Convention on Cybercrime concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems on 1 November 2010. The Netherlands has also implemented the Council of the European Union's Framework Decision on Racism and Xenophobia.

B. National level

21. According to the Government, acceptance of diversity and pluralism is a value of Dutch society. The ban on discrimination is enshrined in article 1 of the Dutch Constitution.

22. Legislation covers a very broad range of offences involving incitement to hatred, discrimination and violence on the basis of race or ethnic origin and other grounds of discrimination. The principal domestic legislation against racial discrimination in the Netherlands is the General Equal Treatment Act. Additionally, the Municipal Anti-Discrimination Services Act, which entered into force on 28 July 2009, obliges municipalities to provide easily accessible facilities for handling complaints about discrimination from members of the public. The Municipal Anti-discrimination Services Act facilitates the opportunity to report discrimination in the local place of residence and to receive assistance and advice from local anti-discrimination authorities.

23. Articles 137c to 137e of the Dutch Criminal Code deal with a wide range of criminal offences involving incitement to hatred of, and publicly expressing views that are insulting to, a group of individuals on account of their race, and other grounds of discrimination.

24. Since 2009, discrimination is defined as an aggravating factor warranting a 50 per cent increase in the sentence. This figure previously was 25 per cent. As from May 2011, another aggravating factor has been incorporated for such offences, warranting a 100 per cent increase in the sentence demanded. The Public Prosecutor can apply for this latter increased sentence in case of serious criminal offences motivated by discriminatory factors.

25. Victims of discrimination perpetrated by civil servants can seek protection from the National Ombudsman and they can also sue in civil courts in order to obtain compensation for damages. A provision in the Working Conditions Act requires employers to pursue an active anti-discrimination policy.

26. The House of Representatives is kept regularly informed about the progress of efforts to tackle discrimination. Letters to Parliament on discrimination also include preventive measures, such as measures to combat discrimination in education, guidelines for website moderators to keep their websites free from discriminatory content that constitutes a criminal offence, and support from central Government to local anti-discrimination policy. The letters describe a range of methods for tracking down and prosecuting those who are discriminating.

27. During its visit, the Working Group learned that, while the Municipal Anti-Discrimination Services Act facilitated people in the Netherlands to report discrimination to an anti-discrimination service and to receive professional support if necessary, not all municipalities have an anti-discrimination policy, and the available services are not sufficiently well known to the public. Also, as has been pointed out by the European Commission against Racism and Intolerance, while the basic forms of discrimination have been made punishable pursuant to the Criminal Code, the punishable acts listed in these provisions are not prohibited on grounds of citizenship and language, creating some difficulties in the prosecution of certain racist offences. Similarly, the General Equal Treatment Act provides protection against racial discrimination, but does not protect against discrimination based on language and ethnic origin.

28. In Curaçao, there is no national human rights institution or an equality body; nor does it have any specific legislation on discrimination. The Working Group observed that cases of racial discrimination against people of African descent are rarely reported to the authorities. The Working Group is concerned that there is a lack of understanding within society about the issue and that in many cases racist ideologies have been internalized to

such an extent that some people of Dutch origin are often not aware of racist behaviour and attitudes.

29. The Working Group was particularly concerned by the so-called Bosman Act, which was being discussed in the Dutch Parliament and which aimed to minimize the rights of Dutch Antilleans, including a direct impact on their freedom of movement. The Bosman law would require Dutch Antilleans from Curaçao, Aruba, and St. Martin to apply for a residence permit from the Immigration and Naturalization Service to take up residence in the Netherlands and qualification for the permit required meeting one of the following four criteria: applicants have to have a job, or enough money to support themselves, they have to be admitted to a Dutch school, or have a close relative living in the Netherlands. An immediate impact of this would be the exclusion of Antilleans in the Netherlands from Government assistance such as social security and social housing.

C. Policy and practices

30. The Dutch policy aimed at combating discrimination is general in nature and not aimed at specific groups. As a result, there are no positive measures addressing the specific needs of people of African descent. In the view of the Working Group, this may result in indirect discrimination and insufficient attention being paid to the rights of people of African descent. The Working Group believes it is important to develop a broad national policy, which specifically focuses on racial discrimination and inequality affecting people of African Descent. The Working Group takes this opportunity to encourage the Government to raise awareness among the public and Government officials alike about the International Decade for People of African Descent.

31. While there is no comprehensive Action Plan for Combating Racism and Racial Discrimination at a national level, the Netherlands' National Action Plan on Human Rights has a section dedicated to non-discrimination and equal treatment. The implementation of the Nation Action Plan has established easily accessible local anti-discrimination helpdesks which can assist people who feel discriminated against; a simple and accessible procedure for reporting incidents involving discrimination; a new national anti-hate crimes campaign with a dedicated website; uniform registration of all complaints involving discrimination; annual reporting to Parliament on results and developments (every year the Government sends the House of Representatives a letter on action taken to combat discrimination); and intensified education about racism and the Holocaust as a part of the school curriculum, among others.

32. The Working Group welcomes the establishment of the National Institute for Human Rights on 2 October 2012. It is an independent body that provides various parties, including the Government, with advice on issues relating to equal treatment and dealing with discrimination on any ground. The institute's advice is not legally binding. The mandate of this institution also allows it to conduct investigations, report and make recommendations on the protection of human rights, provide advice and information, and encourage the ratification and observance of treaties related to human rights.

33. The Institute took over the competencies of the Equal Treatment Commission, a semi-judicial independent body that dealt with complaints on violations of the General Equal Treatment Act and issued recommendations with a view to implement equal treatment standards. As a result, a specific division within the Netherlands Institute for Human Rights will be responsible for the activities previously carried out by the Equal Treatment Commission.

34. The Working Group hopes that the Institute will contribute to increased visibility of human rights issues affecting people of African descent as a vulnerable group. The

Working Group urges the Dutch authorities to increase the political support to this institution in order to strengthen the authority of its decisions and improve their enforcement. Also, the Working Group calls on the Government to ensure the financial independence of the National Institute for Human Rights, in application of the Paris Principles standards.

35. While the Netherlands has a National Ombudsman, its mandate encompasses the handling of complaints concerning the action of administrative authorities. However, the Ombudsman is not competent to receive complaints on Government policy or on the content of laws. The Working Group met with civil society organizations that were highly sceptical of the work of the National Ombudsman in terms of its impartiality and independence, as well as its lack of powers in giving binding decisions.

36. A new network of local anti-discrimination services is in place and provides protection against and registers complaints of racism and racial discrimination. In addition, each of the 11 regional Public Prosecutor's offices in the Netherlands has a specially trained Public Prosecutor who handles all discrimination cases in the region. Besides registering and processing discrimination complaints, these local services can perform other tasks, such as providing information on discrimination in schools and businesses. In addition, they cooperate with the Public Prosecution Service and the police at the local level to prevent and combat discrimination.

37. The Government's new decentralized approach to dealing with discrimination demonstrates recognition of the problem of discrimination at local levels. The Working Group welcomes the requirement of municipal governments to establish anti-discrimination desks through which victims of discrimination, including people of African descent will be able to lodge official complaints. The Working Group looks forward to hearing about the progress of these local initiatives, but stresses that this localized approach does not relieve the central Government of its duties to continue to work against racial discrimination.

38. The Public Prosecution Service determines whether a particular action is an offence or not. For this purpose, it has set up a special expertise centre, the National Discrimination Expertise Centre. Public Prosecutors can contact the centre for advice. The National Expertise Centre on Discrimination has been placed under the auspices of the Amsterdam Office of the Public Prosecution Service with the aim of optimizing criminal enforcement in cases of discrimination. The main duties of the National Expertise Centre on Discrimination include: carrying out a substantive legal evaluation of discrimination cases; advising the Offices of the Public Prosecution Service; keeping a registration system of discrimination cases; and contributing to the development of the national policy for combating discrimination within the Public Prosecutor Service.

39. The Public Prosecution Service and the police also have specific instructions on discrimination in force and are required to keep a record of every report and formal complaint of discrimination, including specific racist offences, as well as general offences with racist motivation. The instructions are a binding guideline for the Public Prosecutor and the police on how to handle in discrimination cases; they offer directives for the cooperation between the Public Prosecutor, the police, the local Government and the anti-discrimination bureaus; directives on the procedure on registration and complaints; directives on the investigation and prosecution, including the appointment of regional prosecutors and police officers specialized in dealing with discrimination and racist offences; and directives on how to treat victims.

40. The Government has encouraged people to report acts of discrimination through local anti-discrimination authorities but also through hotlines and online forms and, more recently, a special app that allows people to anonymously report racial incidents. These have been paired with large-scale campaigns to raise awareness of discrimination, increase

the victims' willingness to report incidents on discrimination, and explain the available resources for victims of discrimination.

41. The Netherlands has also developed an interactive instrument and website (www.diversiteitsindex.nl) called diversity index, which shows a breakdown of employees of certain public bodies according to a broad scale of indicators like gender, ethnicity and age.

42. There are five ministries structurally involved in anti-discrimination policies: the Ministry of Social Affairs and Employment (responsible for combating discrimination in the labour market, integration policies, and combating racism and anti-Semitism); the Ministry of Education, Culture and Science (responsible for the emancipation policies for women and lesbian, gay, bisexual and transgender people); the Ministry of Security and Justice (responsible for the criminal code); the Ministry of Health, Welfare and Sport (responsible for the equal treatment of the disabled and chronically ill); and the Ministry of the Interior and Kingdom Relations (responsible for the Constitution, General Equal Treatment Act and the Municipal Anti-Discrimination Services Act; also responsible for the overall coordination of anti-discrimination policies).

43. Every year, the Minister of the Interior and Kingdom Relations sends the House of Representatives a letter on action taken to combat discrimination. This letter describes the progress of the measures taken by the Government to combat discrimination and aims to gain a better understanding of the problems involved. The Ministry of the Interior and Kingdom Relations is also responsible for the Municipal Anti-Discrimination Services Act. All the municipalities report to the Ministry of the Interior every year about complaints on discrimination, which gives the Government a good insight in trends and developments.

44. The Working Group was pleased to learn about the work being carried out by the Ministry of the Interior and Kingdom Relations, including promoting the implementation of the General Equal Treatment Act and the civil law protection against discrimination; drawing up guidelines for the anti-discrimination services and the municipalities to improve the quality of anti-discrimination services; and issuing a media campaign to improve the awareness amongst the public about discrimination and stereotyping.

45. The Working Group stresses the importance of consultation with vulnerable groups, including people of African descent, on policies, practices and legislation that affects them. In this regard, a National Consultation Platform on Minorities (Landelijk Overleg Minderheden) was established in 1997. Representatives of the Chinese, Turkish, Southern European, Caribbean, Surinamese and Moroccan minorities group are a part of this consultative body, while the Roma and Sinti have been excluded from it. Furthermore, the National Consultation Platform on Minorities does not meet regularly and there is a bill before Parliament proposing the dismantlement of the platform. The Working Group recommends that the mandate and structure of the Consultation Platform should be strengthened and funded in order to improve the consultation mechanisms with all minority groups, including people of African descent.

D. Data collection

46. Since 2008, the police have been producing a national crime pattern analysis of all discrimination incidents known to the police, i.e. discrimination offences and other types of offences with a discriminatory element. Commissioned by the National Expertise Centre Diversity, the annual POLDIS report is published with data including on racial discrimination. The Public Prosecution Service also produces an annual analysis of the discrimination cases it processes.

47. Since 2009, steps have been taken to improve data collection to make the registration of discrimination more transparent and consistent. The improvement project set up by the Police Diversity Expertise Centre is being carried out. However, underreporting and under registration remains a structural problem.

48. In addition, other institutions collect data about ethnic discrimination, such as specialized agencies against discrimination, the National Human Rights Institute, and the Registration Bureau for Discrimination on the Internet. Periodic "Monitors" are published on racial and other kinds of discrimination. This data offers an indication but not an accurate picture of the prevalence, scale and character of discrimination in the Netherlands.

49. There is still a lack of ethnically disaggregated data in both the Netherlands and Curaçao which would help reveal patterns of discrimination and inequality against people of African descent. Statistics Netherland, the Dutch Statistics Agency, collects data on the population living in the Netherlands broken down by country of birth and periodically publishes statistical tables on the living conditions of its national and foreign population in various fields of life. Persons are also classified as being allochtone (a person with a foreign background) or autochtone (a native) and belonging to distinctive groups such as African or Non-Western (e.g. "Somali", "African" and non-Western) . Allochtones are persons who were either born outside the Netherlands or who have at least one parent who was born abroad – which may also include persons who are Dutch citizens.

50. This system of data collection is not based on the principle of self-identification and does not allow for the monitoring of the situation of people of African descent. In addition, as noted by the European Commission against Racism and Intolerance, as the number of citizens who are second-generation descendants of persons born outside the Netherlands increases, the classification on the basis of "allochthony" will be less and less apt to monitor patterns of racial discrimination. Whilst considering the European Union ruling on Data Protection, the Working Group emphasizes the importance of such data when collected in a responsible manner that respects human rights and privacy.

51. The Working Group welcomes the proactive approach that the Government has taken in the collection of disaggregated data, including by ethnicity. Despite trends in Europe, the Netherlands has not abolished the collection of disaggregated data. Knowing that the Dutch Government attaches importance to a good information system, and has recently invested in upgrading its information system, the Working Group highlights the importance of the collection and publication of disaggregated data on the basis of ethnicity by the governmental statistics agency, and recommends data collection based on the principle of self-identification to allow for the monitoring of the situation of people of African descent and identification of the specific needs of people of African descent.

52. The existence of disaggregated data on ethnicity is to enable private and public organizations to monitor equal opportunities/anti-discrimination policies, and for resource allocation and service provision. Such data may also be necessary to inform the Government as to whether community programmes are reaching all groups and in revealing the patterns of exclusion and discrimination that people of African descent face, in order to enable it to adopt practical public policies.

IV. Equality and non-discrimination

A. Employment and poverty

53. The Working Group was informed that people of African descent experience disproportionate rates of poverty and unemployment. Poverty is the main challenge faced

by people of African descent in the Netherlands, compounded by wage gaps, high unemployment, lack of political participation and lack of effective national institutions to change the situation.

54. Government support for civil society organizations dealing with black heritage or black communities was reportedly dwindling. In addition, new legislation aimed at combating poverty was being handed over to local city councils with a view to cut further costs, which in their view would have a negative impact on communities inhabited by people of African descent.

55. The global economic crisis has seriously affected employment in the Netherlands, particularly among young people. The Government currently provides a range of financial benefits for the unemployed, the data for which provides a good indication of poverty rates, in which people of African descent are overly represented.

56. Discrimination against people of African descent in the area of access to employment remains a concern. The workforce does not reflect the true diversity of society. Surinamese and Dutch Antillean people face rates of unemployment three times higher than that of white Dutch people. Reports have shown that employment agencies discriminate in the selection of applicants, in the different levels of pay, and other distinctions in the labour market.

57. The Social and Economic Council of the Netherlands, a national advice body, publishes a report on discrimination on the labour market. This body attributes a large part of racial discrimination to the stereotyping and stigma of ethnic minority groups, which is present throughout Dutch society. While people who feel discriminated against by their employer can report these instances to the local anti-discrimination bureaus or the Netherlands Institute for Human Rights, as well as to the courts, employment discrimination is still underreported.

58. The Government has taken measures against employers who knowingly discriminate, including "naming and shaming" companies that discriminate. The Government announced the implementation of a policy to cease doing business with companies that have been convicted of discrimination. Other measures include the Social Cohesion Initiative and the establishment of the National Diversity Management Network. However, the rates of unemployment amongst people of African descent and other ethnic minority groups, particularly women, and younger persons between 18 and 25 years of age, are significantly higher than average.

59. The Working Group stressed the need for a legislative framework to address this problem and was pleased to learn about a draft law being discussed in Parliament. The Netherlands still needs to implement further measures to address discrimination in the labour market, making employers aware of their responsibility to select in an ethnically neutral manner, not based on a person's origins, skin colour or name.

60. The participation of ethnic minorities in the public sector is also important to address discrimination. The Working Group was pleased to learn that the Dutch Government has devised a diversity index to help different branches of the public sector implement their policy on diversity and to monitor the development of diversity in terms of sex, age and ethnicity on an annual basis. Nevertheless, people of African descent still account for an extremely low percentage of employees within the public sector. The Working Group is particularly concerned at the underrepresentation of people of African descent in senior positions in the public and private sectors.

B. Education and awareness raising

61. Access to quality and culturally relevant education is invaluable for the empowerment of people of African descent. During the visit to Curaçao, the Working Group observed that there were very few opportunities for children to study in the local language, leaving many, including those who speak Papiamento, at a disadvantage.

62. The Dutch education system is Eurocentric, dominated by the Dutch language, history and literature over local perspectives. While steps have been taken to include teaching on the history of the transatlantic slave trade, the Working Group is concerned that African history prior to and after the slave trade, and the contributions of Africans and people of African descent to national and world development, continue to be invisible in the curriculum.

63. The Working Group welcomes the information received from the Ministry of Education, Culture and Science, which ensured that in the curriculum of compulsory primary and secondary education due attention is paid to important subjects such as enslavement, colonialism and the present-day multicultural society. At the same time, civil society organizations that met with the Working Group stressed that school curricula give very little to no attention to the history of enslavement. According to them, the vast majority of Dutch society is simply not educated on this topic. The black pages of the so-called "Dutch golden age" are rarely addressed, and if so, it is not done justice. The Working Group stresses the importance of involving African-descendant communities in the design of the school curriculum, to ensure their inclusion in the true history of Africa before, during and after European contact, and their identity and contribution to the development of Dutch society.

64. While primary and secondary schools in the Netherlands are required by law to promote good citizenship and social integration, and the Ministry of Foreign Affairs commissioned the creation of a programme that schools can use to support teaching on citizenship and human rights, the Working Group is concerned by the absence of human rights education within the national curriculum, which is fundamental for fostering relations within society based on mutual respect and dialogue.

65. Another concern is that of racist bullying in schools. The Working Group observes that dropout rates are particularly high for boys and is concerned that they feel alienated from the school environment. Further, the lack of free tertiary education is discouraging many from attending university.

66. Of particular concern is the ethnic segregation in schools in cities with a diverse population. According to information provided, pupils from ethnic minority groups are disproportionally referred to special education, partly because of behavioural and psychological problems. As pointed out by the Committee on the Elimination of Racial Discrimination, measures such as the establishment of the Mixed Schools Knowledge Centre and the role assigned to the Education Inspectorate in promoting integration have proved inadequate. The Working Group wishes to remind the Government of the role of schools in promoting mutual respect and understanding, and the need to take measures to eradicate all forms of ethnic segregation in schools, including through the review of admissions policies which may have the effect of creating or exacerbating this phenomenon and other disincentives to such segregation.

67. The Working Group is aware of the educational role of cultural institutions such as museums, archives and heritage organizations to document the traces of the past and the Netherlands' shared cultural heritage, including enslavement, the colonial past and the history of migrant groups. During its visit to Middleburg, the Working Group was pleased to learn about the work done by the Zeeland Archives on the transatlantic slave trade. It

urges the Government to ensure the research carried out for this project is widely disseminated and used as an educational tool among schools and at all levels in society as part of the vital process for breaking the silence about the country's role in the slave trade, which perpetuates the invisibility of people of African descent.

68. The Working Group met members of civil society who raised concerns about the measures taken in the wake of the economic crisis, which are having a particularly devastating impact on the fight against racism and discrimination. Financial cutbacks have led to significantly reduced funding for civil society organizations, including those working on important research projects into racism, which are invaluable for designing policy and programmes to address concerns of people of African descent.

C. Health, housing and recreational activities

69. The Working Group appreciates the steps taken to promote equality in health; however, access to health for many people of African descent remains a key concern. Similarly, although the Working Group was informed that the Government actively targets discrimination in housing provision, including guidelines and a national platform devised to tackle antisocial behaviour and residential decay, people are still subjected to harassment on the grounds of their ethnicity, which forces them out of their homes.

70. The Working Group also received concerning information about the prevalence of discrimination in the admissions policies and practices of fitness centres, catering establishments and places of entertainment. Institutional discrimination and mechanisms of exclusion of people of African descent lead to unequal access to employment, housing and other services.

71. During its visit to Curaçao, the Working Group observed that major oil refineries had caused environmental damage, including to local fishing, which is a main activity in Curaçao, and that the Government had not undertaken actions to remedy the damages.

D. Administration of justice

1. Access to justice

72. The Working Group was informed that people of African descent who are victims of discrimination may seek recourse to justice. There are a number of specific offences related to discrimination and it is the policy of the Public Prosecution Service to count the discriminatory aspect of an offence as an aggravating factor when deciding what sentence to require. However, as noted by the European Commission against Racism and Intolerance, the acts listed in the criminal law provisions against racism and racial discrimination are not prohibited on grounds of citizenship and language, and there is no provision explicitly establishing racist motivation as a specific aggravating circumstance in sentencing.

73. Similarly, although the Curaçao Criminal Code makes several acts of discrimination criminal offences, the Working Group felt that, owing to a lack of mechanisms and awareness, complaints and cases related to racial discrimination in the island were largely underreported.

74. The Working Group was pleased to learn that the Public Prosecution Service has issued instructions to all Public Prosecutors to increase the penalty they demand from the court by 100 per cent in cases in which the offence was motivated by any kind of discrimination. Furthermore, in order to encourage people to lodge criminal complaints with the police in cases of discrimination, the Government has implemented several

measures, including the improvement and simplification of the criminal complaint process, the duty to keep victims informed of the progress of the case (Victims' Status Act, 2011), and the launching of a national hate crimes campaign.

75. While the Government has implemented measures to raise public awareness of discrimination and encourage victims to report offences, the Working Group feels that there is still underreporting and underprosecution of such crimes. In fact, very few cases of racially motivated offences had been brought to courts.

2. Persons in conflict with the law

76. People of African descent raised serious issues regarding racial disproportionality in all aspects of the administration and functioning of the justice system. During the Working Group's meeting with civil society, the issue of disproportionate use of stop and search powers by the police on young males of African descent was repeatedly raised as a concern. As is the case in many countries around the world, people of African descent in the Netherlands are the victims of racial profiling by the police. As a result of this practice, people of African descent represent a disproportionate percentage of the prison population.

77. Civil society representatives also gave detailed accounts of police brutality that were racially biased, incidents of unlawful identification checks, harassment and higher proportionality of fines among certain ethnic groups. As an additional consequence, feelings of mistrust in law enforcement bodies arise among communities and discourage them from accessing help when they are victims of crime or rights abuses.

78. Civil society and academia reported that, despite efforts at the community level between the police and youth and residents, very little had changed. They felt that there was no recognition of ethnic, structural and institutional discrimination, and there was not an effective, independent and impartial complaints mechanism within the police. Perceptions persist that the police act with impunity in some localities.

79. While some steps have been taken to adopt policies to tackle racism and racial discrimination by police and judicial authorities, in practice unconscious bias and differential treatment of prisoners by staff, particularly in the use of discretionary powers, is still commonplace. The Working Group was also informed about a bill pending before the House of Representatives that would increase the powers of the police in carrying out searches, although requiring that the police comply with objective criteria for their stop and search activities.

80. According to information received from the Anti-Discrimination Agency in Rotterdam, based on a study carried out by the Fundamental Rights Agency in 2009, up to 23 per cent of Dutch Surinamese report ethnic profiling and 34 per cent of Dutch Moroccans report such incidents. In the 2013 Dutch survey, these numbers were 17 per cent for Surinamese men, 15 per cent for Dutch Antillean men and 26 per cent for Dutch Moroccan men. Again, this concerning issue remains underreported and is often denied by the authorities.

81. In Curaçao , the Working Group visited the only prison in the island, the Sentro di Detenshon i Korekshon Korsou, and found that it lacked in some basic services, including the provision of water supplies for detainees, which, among other issues, resulted in unbearable conditions due to the hot weather. Although occupancy was below total capacity, members of rival gangs or nationalities were kept separately, leading to crowded cell areas. There was very little information available on rehabilitation and mental health facilities for inmates.

82. The Working Group noted the positive development with regard to the construction of new blocks at the Juvenile Detention Centre, and the programmes and facilities, which were found to be in general compliance with international standards.

3. People of African descent working in the administration of justice system

83. The Working Group observed that in both the Netherlands and Curaçao the majority of justice officials, including lawyers, are of white Dutch descent. While some efforts have been made to increase the number of people of African descent working across the justice system, particularly within the police service, the Working Group is still concerned at the significantly low numbers of people of African descent working as employees in the Netherlands administration of justice system.

84. The Working Group also learned that there were limited possibilities to learn the Dutch legal system and it was highly inaccessible to ordinary Curaçaons. The University of Curaçao has a law faculty where Curaçaon law (very similar to Dutch law) can be studied. Though after studying law, one still has to obtain additional training in the Netherlands before being able to open a law practice. As a consequence, there are very few native Curaçaon judges in the court system in Curaçao. The Working Group's request to meet the Ombudsman for further clarity in this matter was not successful.

85. The Working Group highlights the importance of greater representation of people of African descent in these roles. It welcomes the work of the Ombudsman on selection of police staff, police violence, preventive body searches and immigration detention.

E. Political participation

86. The Working Group was concerned to learn about the lack of participation of Curaçaons in the political process involved in the development of legislation of the Netherlands. It was also informed about budget cuts to Curaçao that would have helped in the fight against discrimination. Curaçaons also expressed dissatisfaction that, due to their limited political participation, their voice is not heard in the international arena, which would further cement their autonomous status.

87. The Working Group feels that the Government needs to take additional steps to change the historic underrepresentation of people of African descent in politics in the Netherlands both as political figures, as institutional figures in Curaçao, and as active participants in political processes.

F. Multiple discrimination

1. Women and girls

88. Women of African descent in the Netherlands suffer compounded discrimination based on racial or ethnic origin, skin colour, socioeconomic status, gender, religion and other status, which requires intersectional analysis to understand the situation. Domestic violence, trafficking in persons and sexual exploitation are also manifestations of the intersecting forms of discrimination that women and girls of African descent may face. Women and girls of African descent are also vulnerable to particular health risks. Poverty has a gendered nature.

89. In Curaçao, despite being better educated than men, women have limited employment opportunities. Women are limited in terms of political participation: in 2014, men held 15 of the Government seats in the National Parliament, while women occupied only 6. Women held only two of the nine cabinet posts in the Government.

90. The Working Group encourages the Government to draw attention to the situation of women of African descent, many of whom face multiple forms of discrimination.

2. Migrants, asylum seekers and refugees

91. The Netherlands is a country of immigration and asylum. Owing to a combination of language barriers and discrimination, migrants, asylum seekers and refugees face barriers in accessing information about services, particularly concerning health, education and employment, and have limited access to health care and other protection systems. Civil society reported that irregular migrants are more likely to face discrimination, exclusion and abuse, because of their vulnerable situation, and often work in informal and exploitative conditions from which they cannot seek protection.

92. The Working Group heard allegations from migrants in irregular situations of being prevented from having access to adequate health care, or from renting suitable accommodation. Migrants can be detained without having committed a recognizably criminal offence. Additionally, the association of irregular migration with criminality promotes the stigmatization of migrants and provokes a climate of xenophobia against them.

93. The Working Group was pleased that high numbers of asylum seekers are recognized in the Netherlands. Nevertheless, the Working Group fears that current policy and processes for seeking asylum in the Netherlands leads to large numbers of stateless people. This is also a concern in Curaçao, where there are citizens from a number of countries, notably a large number of Cuban children in situations of statelessness who consequently have not been able to access their fundamental rights. The Working Group also received information about the continued practice of detaining unaccompanied children and families with children upon their arrival. The Government needs to revise its policy to better accommodate those seeking asylum in the country in accordance with its obligations under the Convention on the Rights of the Child.

94. The Working Group noted differences in dealing with discrimination and in the implementation of international standards between the Netherlands and Curaçao. Of particular concern to the Working Group, as a result of the new political relations after 2010, was the impact on immigration experiences of Curaçaons to the Netherlands, which has resulted in the prevalence of differential treatment of Curaçaon citizens at Dutch borders in the form of additional screening and security checks.

95. The Working Group believes that the Government should revise the provisions in the Civic Integration Act that impose obstacles in immigrants' integration when they fail to pass the civic integration examination, often jeopardizing their stay in the Netherlands or their family reunification. Human rights should be at the forefront of any discussion on migration in the country.

V. Racism and xenophobia

A. Hate crimes

96. Legislation in the Netherlands covers a very broad range of offences involving incitement to hatred, discrimination and violence on the basis of race. While laws exist to prosecute racial and religious hate crimes, specifically cases of incitement to hatred, discrimination and violence, people of African descent in the Netherlands continue to be the victims of such crimes and other manifestations of racism and intolerance. Incidents of

racist and xenophobic speech emanating from a few extremist political parties are of particular concern.

97. The Government has put in place measures to report hate crime to the police. While there has been an increase in reports of racially motivated crimes and hate crimes, the numbers of prosecutions and convictions based on hate crimes are still low.

98. Additional measures need to be in place in order to prevent and eradicate manifestations of racism, racial discrimination, Afrophobia, xenophobia and intolerance. The Government should also adopt measures to encourage a positive climate of public and political dialogue.

B. Racism in the media and on the Internet

99. Racism in the media continues to be a problem affecting people of African descent, including migrants and asylum seekers. The Working Group values the Government position with regards to the right to freedom of expression, ensuring the use of criminal prosecution as a last resort. However, the Working Group thinks that greater attention should be placed on cases of incitement to hatred, discrimination and violence in the media, which have increased due to the influence of fears of terrorism and the rise of immigration in the country.

100. The Working Group is concerned that the economic crisis has heightened xenophobic and racist attitudes against migrant and refugee communities, including many people of African descent, and feels that the media has played a role in exacerbating fears around housing and employment using migrants as scapegoats for the negative impact that the crisis has had on Dutch people. The Working Group urges the Government to take steps to ensure no media outlet engages in incitement to racial, religious or xenophobic hatred that could lead to further rights violations. Additionally, the Government needs to take appropriate action if the media commit an offence of racial discrimination.

101. The Working Group was informed by the Ministry of Education, Culture and Science about measures adopted to create an enabling environment for a varied and representative media system, while respecting the Media Act. The Government mentioned that a number of television channels and radio stations focus specifically on a diverse cultural group of people. The Working Group learned that national broadcasters have signed a performance contract with the Government in order to reach out to a better representation of people of non-Western descent and of women in broadcasting programmes. At the same time, the Working Group learned that, due to the budget cuts from the central Government, the production company MTNL (Multicultural Television in the Netherlands), which produced multicultural programmes for the Dutch broadcasting system, was dissolved by the end of 2012. While the objectives of this production company have been integrated within the local broadcasting station Amsterdam (AT5), the Working Group is concerned that budgetary measures are impacting diversity in the media.

102. The Working Group is alarmed at the amount of cases of discrimination on the Internet, many of which are affecting people of African descent. While the Government has set up or subsidized initiatives to identify and remove discriminatory postings and racist materials, encouraging people to report incidents through different means, the Working Group remains concerned that the dissemination of such material through the Internet remains widespread.

103. As with the traditional media, the Working Group learned that budget cuts have affected the Government's measures to combat online dissemination based on racial superiority. The Netherlands needs to intensify its efforts to effectively identify and remove material that amounts to online hate speech.

C. Racism in cultural events

104. The Sinterklaas festival is an important cultural tradition in the Netherlands. "Sinterklaas" is a Dutch character that arrives annually at a parade wearing a red cape on a steamboat filled with gifts together with his helpers, all referred to as "Zwarte Piet".

105. "Zwarte Piet" remains the subject of debate in the Netherlands. According to our findings, while a large part of the Dutch population prefers the traditional Black Pete, there are more and more groups willing to experiment with new forms of celebrating the feast. Furthermore, there are groups who experience Black Pete as an expression of racism and discrimination related to enslavement. Civil Society members and a number of United Nations Special Procedures have expressed concern about the Zwarte Piet and Sinterklaas festival.

106. The Working Group feels that a large amount of the population still does not understand why the manner in which "Zwarte Piet" is presented is perceived negatively and hurtful by some groups of Dutch society. In the view of the Working Group, this is a symptom of denial of the existence of racism and racist practices and an erroneous understanding of history among its society. It is also a mark of structural racism affecting the society.

107. The Working Group is pleased that the issue is now being seriously discussed at the national level but urges the Government to take a more active role in facilitating a public discussion and dialogue with regards to the racial implications of this tradition. The Working Group also believes that more measures need to be in place to encourage the media to adopt a respectful tone during these public discussions.

108. The Dutch Government does not see it as its role to impose changes in the tradition top down, and the Working Group is not calling for the banning of this tradition. Nevertheless, the Working Group was extremely pleased to learn about the work being done by the City of Amsterdam to change the image of Black Pete as well as the discussions that the Ministry of Social Affairs and Development will facilitate among several societal organizations to work towards a joint agreement. The Working Group further welcomes the court's decision, issued during its visit, concerning the Mayor of Amsterdam to reassess the license he granted for the entry of Sinterklaas last year. The Working Group also notes with appreciation the public education initiatives that have been promoted around the festival.

109. At the same time, the Working Group has followed events subsequent to its visit to the country and noted with concern developments including the upholding of the appeal of the Mayor of Amsterdam in relation to the earlier decision, and efforts underway by the Dutch Centre for Intangible Cultural Heritage (VIE) to add the Sinterklaas festival to the national inventory of intangible heritage. The Sinterklaas festival in its current form is in need of change to eliminate elements linked to enslavement that are offensive to people of African descent. The image of Black Pete stereotypes Africans and people of African descent in image and behaviour, not unlike the tradition of blackface and minstrelsy of the past era. The Working Group therefore encourages the Government to adopt all measures necessary to encourage Dutch society to examine the unequal power relations between the characters of Black Pete and Sinterklaas, and adopt changes before any such institutional polices are adopted.

VI. Conclusions and recommendations

110. **The Working Group of Experts on People of African Descent believes that no country is free of racism, and the Netherlands is no exception. While the Netherlands**

has a long tradition of tolerance and openness, and values diversity, the country has for a long time denied the existence of racism and racist practices, thus obscuring the existence of structural and institutional racism leading to the invisibility of people of African descent. Recognition of the complex history of people of African descent in the Netherlands, including the legacy of the slave trade, enslavement, the colonial past, longstanding historical, economic and political relations with several Caribbean countries and new waves of immigration, is a necessary step towards the elimination of barriers affecting the ability of people of African descent to enjoy their fundamental rights.

111. Tackling racism and racial discrimination requires a holistic approach, reaching out to and including all levels of society. The Netherlands has adopted a broad range of anti-discrimination initiatives. Despite these achievements, its general approach to combatting discrimination risks overshadowing the inequalities faced by people of African descent and may not reflect their diversity of experiences and needs. The Working Group recommends the adoption of specific policies directly targeting people of African descent and tailored to their specific situation. Such policies should encompass all people of African descent, whether nationals or immigrants, and mainstream a gender perspective, taking into account the specific needs and realities of women and girls of African descent. The Working Group also recommends the establishment of an equality body in Curaçao and a network of local anti-discrimination services.

112. The Working Group believes firmly that targeted policies and affirmative action policies should be adopted in order to promote effective equality of people of African descent, specifically to address the following issues, among others: low access to quality education; high dropout rates and overrepresentation of African descendants in special classes; lack of sufficient political participation of people of African descent; lack of appropriate representation of people of African descent in public sector employment, especially in the judiciary, police, army and other branches of the civil service; lack of adequate reflection of the Netherlands' diversity in the higher ranks of the civil service; and insufficient participation of people of African descent in the private labour market.

113. The Working Group suggests that the Government enhance and strengthen the mobilization of people of African descent and migrants as active citizens through the promotion of inclusion and capacity-building initiatives, with particular focus on women and youth as agents of change.

114. While the Netherlands has ratified most of the core human rights instruments and its national legal framework covers a broad range of offences related to racial discrimination, the protection offered by the law is not always sufficient to overcome persistent and structural disparities specifically affecting people of African descent. The Netherlands should consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and adopting legislation to address the specific needs of people of African descent.

115. The Netherlands has improved in the field of data collection and analysis, which allowed the Working Group to obtain information on people of African descent. However, further efforts need to be in place in order to ensure that this data leads to targeted positive measures towards people of African descent.

116. The Working Group remains concerned that racial profiling is still a common practice, despite the measures adopted by the Government to prevent this practice. The disproportionate numbers of people of African descent in conflict with the law and in prisons shows that further action is needed to modify institutionalized

stereotypes concerning people of African descent. Measures should be adopted to increase the number of people of African descent in the law enforcement and justice system, including the police forces. Furthermore, stop-and-search powers without reasonable suspicion, which lead to racial profiling, should be abolished. The Working Group reminds the Government that this practice damages trust and confidence in the justice system, and has a serious impact on individuals of African descent, communities and the wider society.

117. The Working Group recommends the inclusion in the curriculum of information on the slave trade, enslavement and colonialism as a way to combat racism, racial discrimination, xenophobia and related intolerance.

118. Anti-racist human rights training for all public officials, including personnel in the administration of justice, particularly law enforcement, correctional and security services, as well as health care, education and migration officials, should be undertaken to counter stigmatization and to ensure that people of African descent are not discriminated against, and are treated equally.

119. The Netherlands has adopted several measures to raise awareness about racial discrimination and facilitate reporting of these cases to authorities. Additional measures are needed to guarantee access to justice and legal remedies for people of African descent who are victims of racism and increase confidence in the judicial system, including simplifying judicial procedures where possible. The Working Group encourages the Government to adopt effective legislation that guarantees higher penalties for racially motivated crimes. Denial and lack of understanding of the existence of racism and racist practices in Dutch society have influenced the underreporting and underprosecution of racial discrimination cases, including instances of hate crimes.

120. It is important to extend the scope of data collected on hate crimes, including through victim surveys, encouraging hate crime victims and witnesses to report incidents, and through psychological and financial support to victims introducing legal recourse.

121. Incidents of racism and xenophobia in the media are growing. The Government should work with media and Internet service providers to sensitize them about their role in promoting diversity and eradicating stereotypes, which foster fear of minorities and foreigners, and lead to incidents of racism and xenophobia. Media professionals require training and sensitization to promote more positive and inclusive representations of people of African descent, and increase their visibility and contribution to the economy, culture and development of the Netherlands.

122. The Working Group is aware that Sinterklaas is one of the most popular traditions in the Netherlands and that it is an important family tradition. It values the Government's and civil society's willingness to engage in positive and open dialogue, cooperation and action to combat the historic legacy of racism and discrimination against people of African descent, and encourages the continuation of discussions where both sides are heard and listen to each other. Despite these positive steps, the Working Group remains concerned about how this cultural practice affects people of African descent, and encourages the Government and civil society to continue to educate and raise awareness particularly of children on the problematic aspects of this celebration.

123. The Working Group is concerned that austerity measures adopted in response to the economic crisis could threaten the achievements in the promotion of equality and multiculturalism. The responses to the crisis must not lead to reduction in support to existing initiatives to combat racial discrimination, give rise to more discrimination

against people of African descent or exacerbate their already precarious economic conditions. As people of African descent disproportionately need social benefits, new measures could impact negatively on this group.

124. The Working Group is alarmed at the differences in equality conditions between the Netherlands and Curaçao. It recommends that programmes be put in place that bridge the gap between the standards in the same Kingdom. The Working Group is particularly concerned about the lack of an effective national institution to protect and promote human rights in Curaçao; the serious problems faced by children as a result of their statelessness in Curaçao; the lack of access to education at all levels in Papiamento in Curaçao; the low numbers of native Curaçaon lawyers and judges; the few programmes and employment opportunities available specifically for youths of African descent in Curaçao; the insufficient measures to address gender-based violence; and the lack of technical and financial assistance available to curb the damages resulting from environmental degradation in Curaçao.

125. The Working Group recommends that the Netherlands increase its financial support to Curaçao, including funds to combat racism and racial discrimination. Furthermore, it recommends that all legislative proposals that result in differential treatment to Dutch citizens from Aruba, St. Maarten or Curaçao affecting their freedom of movement within the Kingdom be repealed. The Government also needs to increase Curaçaon political participation in the international arena, particularly in areas where it is directly involved.

126. The Working Group believes that if these recommendations are accepted and there is political will to implement them, the Netherlands will move towards being a more open and harmonious society, accepting diversity based on the principles of equality and non-discrimination. It will be seen to be responding to the calls in society for it to acknowledge the historic reasons for the current situation of people of African descent, and moving to address them.